



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number : 10/040,906 Confirmation No.: 1498  
Applicants : Greta ARNAUT *et al.*  
Filed : January 9, 2002  
Title : NUCLEIC ACID MOLECULES ENCODING NOVEL BACILLUS  
THURINGIENSIS Cry2Ae INSECTICIDAL PROTEINS, PLANT  
CELLS, PLANT OR SEEDS COMPRISING THE NUCLEIC  
ACID MOLECULES AND METHODS OF USING SAME  
TC/Art Unit : 1638  
Examiner: : Anne R. KUBELIK  
Docket No. : 58764.000036  
Customer No. : 21967

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.116 AND**  
**PETITION FOR THREE-MONTH EXTENSION OF TIME**

Sir:

Applicants provide the following Amendment and Reply ("Response") to the final Office Action mailed March 9, 2006 ("Office Action"), in the above-captioned application. Applicants respectfully petition for a three-month extension of time under 37 C.F.R. § 1.136(a) to respond to the Office Action. Accordingly, the time for response will be extended up to and including September 9, 2006, which is a Saturday, extending the date to September 11, 2006 pursuant to 37 C.F.R. § 1.7(a). Submitted herewith is a check in the amount of \$1520.00 to cover the fee for the three-month extension of time under 37 C.F.R. § 1.17(a) and the fee for a Notice of Appeal (being filed concurrently with this Response). Applicants believe that no additional fee is required for the submission of this Response. However, in the event that the USPTO requires an additional fee to enter this Response or to maintain the present application pending, now or hereinafter, please charge such fee to the undersigned's **Deposit Account No. 50-0206**.

This Amendment and Reply is provided in the following format:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2.

**Remarks** begin on page 6; and

**Exhibits A-D** are attached.

09/12/2006 JADD01 00000042 10040906

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